

VZCZCXRO8647
OO RUEHBZ RUEH DU RUEHMR RUEHRN
DE RUEHSB #0281/01 0931016
ZNY CCCCC ZZH
O 031016Z APR 09
FM AMEMBASSY HARARE
TO RUEHC/SECSTATE WASHDC IMMEDIATE 4322
INFO RUCNSAD/SOUTHERN AF DEVELOPMENT COMMUNITY COLLECTIVE
RUEHAR/AMEMBASSY ACCRA 2753
RUEHDS/AMEMBASSY ADDIS ABABA 2875
RUEHRL/AMEMBASSY BERLIN 1321
RUEHBY/AMEMBASSY CANBERRA 2140
RUEHDK/AMEMBASSY DAKAR 2496
RUEHKM/AMEMBASSY KAMPALA 2923
RUEHNR/AMEMBASSY NAIROBI 5364
RUEAIIA/CIA WASHDC
RUZEJAA/JAC MOLESWORTH RAF MOLESWORTH UK
RHMFISS/EUCOM POLAD VAIHINGEN GE
RHEFDIA/DIA WASHDC
RUEHGV/USMISSION GENEVA 2042
RHEHAAA/NSC WASHDC

C O N F I D E N T I A L SECTION 01 OF 02 HARARE 000281

SIPDIS

AF/S FOR B. WALCH
DRL FOR N. WILETT
ADDIS ABABA FOR USAU
ADDIS ABABA FOR ACSS
STATE PASS TO USAID FOR J. HARMON AND L. DOBBINS
STATE PASS TO NSC FOR SENIOR AFRICA DIRECTOR MICHELLE GAVIN

E.O. 12958: DECL: 04/03/2019
TAGS: [PGOV](#) [PREL](#) [ASEC](#) [PHUM](#) [ZI](#)
SUBJECT: ZIM PARLIAMENT PUTS IN PLACE OVERSIGHT COMMITTEES

Classified By: Ambassador James D. McGee for reason 1.4 (b) and (d)

SUMMARY

[¶1.](#) (SBU) Zimbabwe's parliament finalized its committee nomination process this week by announcing appointments to the Parliamentary Legal Committee as well as to the 20 various portfolio committees. These bodies serve as important mechanisms to evaluate the legality of proposed legislation and to monitor executive policy decisions. Committee nominations were made in keeping with party representation, while taking relevant experience into consideration.

[¶2.](#) (SBU) A snag was hit in determining who should chair committees related to establishing a new constitution. MDC MPs proposed that civil society should hold these positions, while ZANU-PF MPs felt they should be filled by parliamentarians. Both sides agreed to refer the decision to party principals. END SUMMARY.

Oversight Committees Established

[¶3.](#) (SBU) Xolani Zitha, the director of the Speaker of the House of Assembly's (HOA) office, told poloff on March 31 that the HOA's influential Standing Rules and Orders Committee (SROC) met on March 30 and established nominees to the Parliamentary Legal Committee (PLC) and the 20 various parliamentary portfolio committees (PCs). The PLC is a five member body responsible for evaluating the constitutionality of proposed legislation, while the PCs scrutinize legislation and "monitor, investigate, enquire into and make recommendations relating to any aspect of the legislative program." Both the PLC and PCs are key components of Parliament's oversight of the government.

[¶4.](#) (SBU) The PLC chairmanship was granted to Senator Obert

Gutu of the MDC-T, with the remaining four seats divided evenly between the MDC and ZANU-PF. Chairmanships to the various PCs were allocated based on party. For example, if a ministry was led by ZANU-PF, the relevant PC was allocated to one of the two MDC formations. Within this context, the party chief whips then made the individual determinations.

Impasse on Constitutional Issue

¶5. (SBU) The SROC also discussed certain framework issues dealing with Parliament's role in crafting a new constitution. Specifically, the SROC discussed who should chair the Constitutional Select Committee and associated sub-committees. Zitha said that MDC MPs were generally supportive of filling these seats with members of civil society to ensure that the process is transparent and people driven. An unverified local press report mentioned that the MDC's top candidate was an unnamed retired judge.

¶6. (SBU) Conversely, ZANU-PF MPs were more supportive of parliamentarians holding these positions. During the SROC meeting, the ZANU-PF Minister of Defense, Emmerson Mnangagwa, was adamantly opposed to an independent chair and argued that Qwas adamantly opposed to an independent chair and argued that SADC had determined that Parliament should lead the constitutional process. Morgan Tsvangirai and Arthur Mutambara were strongly supportive of an independent chair. Unable to agree, the SROC decided to forward the decision to the principals, to include President Mugabe. A decision was

HARARE 00000281 002 OF 002

expected by April 8. Should a non-MP from civil society become the chair of the Constitutional Select Committee or a sub-committee, in order for them to report their conclusions to Parliament, the standing rules and orders would have to be amended.

COMMENT

¶7. (C) Overall we are pleased to see Parliament picking up its pace and assuming its critical oversight role. As the first non-ZANU-PF controlled parliament in Zimbabwean history, it bears considerable responsibility for checking government and ensuring transparency. We are also encouraged that the MDC side is putting its support behind backing a civil society candidate to chair the constitutional committee. If that motion succeeds, it would lend credibility that the constitution drafting process will be done in an inclusive manner. END COMMENT.

MCGEE